

FISCAL NOTE

SB 2256 - HB 2862

February 18, 2002

SUMMARY OF BILL:

- Establishes that a drug test for employees covered by worker's compensation insurance shall only be performed if the treating physician determines such a drug test is medically necessary to protect the employee, the employee consents to the drug test, or the employee has signed a prior written consent permitting such a drug test.
- Prevents an employer or an employer's insurer from denying a provider's claim for payment for emergency services solely because of a positive drug test on employees covered by workers' compensation,

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - Not Significant/Claims Award Fund

Increase Local Govt. Expenditures - Exceeds \$100,000

Estimate assumes:

- a not significant increase to the Claims Award Fund, since the cost of a state employee's emergency care for an on-the-job injury would still be the responsibility of the state despite the denial of the workers' compensation claim based on a positive drug test.
- two claims per year, based on the state's past 3-year claim history where the injured state employee sought emergency medical care but the claim was denied due only to a positive drug test.
- medical costs of \$1000 for average emergency care costs.
- local government cost to the TML Risk Management Pool would increase significantly, since such claims are denied currently if the injured employee is impaired by drugs or alcohol.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

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